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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA '08 MJ 8484

UNITED STATES OF AMERICA, Plaintiff,	Magistrate's Case No.:
v.	COMPLAINT FOR VIOLATION OF
Luz Maria CASAREZ	Title 21 U.S.C.§ 841(a)(1) Possession of a controlled Substance with Intent to Distribute
Defendant.	

The undersigned complainant duly sworn states:

That on or about June 1, 2008, within the Southern District of California, defendant Luz Maria CASAREZ, did knowingly and intentionally possess with intent to distribute approximately 70.35 kilograms (155.1 pounds) of marijuana, a Schedule I Controlled Substance, in violation of Title 21 United States Code, Section 841(a)(1).

And the complainant states that this complaint is based on the attached Statement of Facts, which is incorporated herein by reference.

Cynthia M. Barajas
Task Force Officer
Drug Enforcement Administration

Sworn to before me and subscribed in my presence, June 02, 2008.

PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

UNITED STATES OF AMERICA
v.
Luz Maria CAZAREZ

STATEMENT OF FACTS

This Statement of Facts is based on the reports, documents, and notes furnished to the Drug Enforcement Administration Task Force Officer Cynthia M. Barajas.

On June 1, 2008, at approximately 1:20 PM, United States Border Patrol Agent (USBPA) S. Sedano and K-9 was performing his official duties at the Highway 111 checkpoint located near Niland, California.

USBP Agent Sedano and Canine were working the pre-primary area of the checkpoint when a 2001 white colored Mitsubishi Galant, California license number 6CVV758, driven by Luz Maria CASAREZ approached the checkpoint. Vehicle registration indicated CAZARES is the registered owner of the Mitsubishi Galant as of March 14, 2008. Canine alerted to the trunk of the Galant. Agent Sedano notified Agent P. Arredondo, who was conducting an immigration interview with CASAREZ, to place the vehicle into the secondary inspection area.

At secondary inspection area CASAREZ was approached by Agent G. Morales and identified himself as a United States Border Patrol Agent and asked CASAREZ to exit the vehicle. CASAREZ gave consent to Agent Sedano for K-9 to conduct a Canine sniff.

Agent Sedano along with K-9 performed an exterior Canine sniff of the vehicle. While conducting the exterior Canine sniff, Canine once again alerted to the trunk of the vehicle. Upon opening the trunk, Canine immediately jumped inside and alerted and indicated to the right rear quarter panel of the trunk. Upon further inspection of the right rear quarter panel, several small tightly wrapped cellophane bundles were discovered. The remainder of the vehicle was searched and revealed more bundles located in a floor board compartment, behind the rear sear, and also in a spare tire. A total of 44 small tightly wrapped cellophane bundles were discovered inside the Galant. The 44 bundles weighed a total of 155.1 pounds and contained a green leafy substance.

Agent Sedano randomly selected two of the 44 bundles and tested the green leafy substance using a NIK-field testing kit. The substance tested positive for marijuana.